

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

JAMES GHAI SAR et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 1:19-cv-1224 (CMH/IDD)

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS’
MOTION FOR ISSUANCE OF SCHEDULING ORDER**

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Rule 16(B) of the Local Rules for the United States District Court for the Eastern District of Virginia, Plaintiffs respectfully request that this Court issue a scheduling order in this matter. Plaintiffs served their complaint on Defendant United States of America on September 24, 2019.¹ Defendant’s response to Plaintiffs’ complaint was due on November 25, 2019. Defendant requested an extension of time and filed its Answer on December 9, 2019.

Plaintiffs, by counsel, contacted counsel for the United States on December 10, 2019 to schedule a conference of the parties as required by Federal Rule of Civil Procedure 26(f). Counsel for the United States responded that it would discuss discovery once the Court enters its scheduling order setting out the discovery period. Considering the delay that has already

¹ Plaintiffs also have a separate civil action against the law enforcement officers involved in the underlying incident pending in another court in this District (Civil Action No. 1:18-cv-1296). To date, no Scheduling Order has been issued in that matter.

occurred to date and in the interest of timely commencing discovery, Plaintiffs therefore respectfully request that this Court issue a scheduling order pursuant to Federal Rule of Civil Procedure 16(b).

Plaintiffs contacted counsel for the United States pursuant to Local Rule 7(E) to determine its position on this Motion. Counsel for the United States responded that it takes no position on the motion.

Dated: January 10, 2020

Respectfully submitted,

/s/ Thomas G. Connolly
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I filed the foregoing via the CM/ECF system, which will send a Notification of Electronic Filing to the following:

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Dated: January 10, 2020

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